In the High Court of Punjab and Haryana at Chandigarh.

CR No.5004 of 2007
Date of decision:01.10.2007.

Sona Devi and others ... Petitioners.

Versus

Arjan Lal and others ... Respondents.

Present: Mr.Gopal Sharma, Advocate, for the petitioners.

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PERMOD KOHLI, J. (Oral):

This revision is directed against the order dated 22.08.2007 passed by the learned District Judge, Yamuna Nagar at Jagadhri. The plaintiffs are the petitioners before me. They filed a suit to the effect that the defendants in the suit are not entitled to compensation of the acquired land. It appears that during the pendency of the suit, the defendants withdrew the amount which was deposited in the nationalised bank. Ultimately, the learned trial Court dismissed the suit of the plaintiffs-petitioners. An appeal came to be preferred before the learned District Judge, Yamuna Nagar at Jagadhri. During the pendency of the appeal, the learned Lower Appellate Court permitted the defendant-respondents in the appeal to withdraw the money subject to furnishing bank guarantee of the like amount to the Court.

The grievance of the petitioners is that in the event of success in the suit, the plaintiffs will not be in a position to recover the money. This

argument is totally without any substance. The learned Appellate Court, even though not obliged to ask for any security in view of the dismissal of the suit, still secured the interest of the petitioners by asking the other party to furnish the bank guarantee. Bank guarantee is a better security and perhaps the plaintiff-petitioners in the event of success will be in a better position to recover the amount. I find no merit in this revision petition and the same is hereby dismissed. No costs.

01.10.2007 (PERMOD KOHLI)
BLS JUDGE